

PATENT

MS154757.1

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being faxed to 703-872-9318 on the date shown below to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: 7-14-03
Himanshu S. Amin#4
Shange
7/17/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Michael S. Murstein, *et al.*

Examiner: Michael P. Nghiem

Serial No: 09/730,338

Art Unit: 2863

Filing Date: December 5, 2000

Title: PERFORMANCE LOGGING SOLUTION

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REPLY TO RESTRICTION REQUIREMENT DATED JUNE 13, 2003

This Reply is in response to the Restriction Requirement mailed on June 13, 2003 in connection with the above-identified patent application.

The Examiner requires restriction to one of the following two groups of claims:

Group I – Claims 1-25, 35-39, drawn to a performance monitor system, classified in class 702, subclass 182.

Group II – Claims 26-34, drawn to a method of monitoring performance metrics, classified in class 700, subclass 108.

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Applicants' representative elects with traverse Group I (Claims 1-25, 35-39, drawn to a performance monitor system, classified in class 702, subclass 182) for further prosecution on the merits.

The Office Action also requires election to one of three species: Species I (Figs. 1, 6a, 6b and 9); Species II (Figs. 2, 7a, 7b and 9); and Species III (Figs. 3, 4a, 4b, 5, 8a, 8b and 9).

Applicants' representative elects with traverse Species III (Figs. 3, 4a, 4b, 5, 8a, 8b and 9) for further prosecution on the merits.

Should there be any questions regarding this paper, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

In the event any fees are due in connection with submission of this document, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063.

Respectfully submitted,

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